## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS MARSHALL DIVISION

RED ROCK ANALYTICS, LLC,	§
Plaintiff,	§ § 8
v.	§ Case No. 2:17-CV-00101-RWS-RSP
a	<b>§</b>
SAMSUNG ELECTRONICS CO., LTD.,	§
SAMSUNG ELECTRONICS AMERICA,	§
INC., SAMSUNG SEMICONDUCTOR,	8
INC., and SAMSUNG AUSTIN	8
SEMICONDUCTOR, LLC,	8
	8
Defendants.	§
<i>y</i>	8

## **MEMORANDUM ORDER**

Before the Court is parties' joint motion [Dkt. No. 262] to withdraw Defendants' proposed Renewed Motion to Exclude Testimony of Roy Weinstein [Dkt. No. 234]. The parties agree that the proposed renewed *Daubert* motion is rendered moot by Plaintiff's agreement to withdraw Weinstein's fully paid-up damages model, and thus the parties urge the Court to deny the proposed renewed *Daubert* motion without prejudice to re-filing the motion should the trial be continued. [Dkt. No. 262]. Given the parties' apparent agreement, the Court **GRANTS** the motion.

**IT IS THEREFORE ORDERED** that Defendants' proposed Renewed Motion to Exclude Testimony of Roy Weinstein [Dkt. No. 234] is **DENIED WITHOUT PREJUDICE** to re-filing should the trial date be continued. Defendants must seek leave of Court to file such motion.

SIGNED this 28th day of March, 2019.

OYS. PANNE

UNITED STATES MAGISTRATE JUDGE